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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

LAUREN HUGHES, et al., on behalf of
themselves and all others similarly situated,

Plaintiffs,

v.

APPLE INC., a California corporation,

Defendant.

Case No. 3:22-cv-07668-VC

**STIPULATION AND [PROPOSED]
ORDER TO SET DEADLINE FOR
APPLE INC.'S ANSWER TO
AMENDED COMPLAINT**

Judge: Honorable Vince Chhabria

Second Am. Compl. Filed: April 5, 2024

Pursuant to Civil Local Rule 6-2(a), Plaintiffs and Defendant Apple Inc. (“Apple”), by and through their attorneys of record, stipulate as follows:

WHEREAS, Plaintiffs filed their Complaint on December 5, 2022 (ECF No. 1), and before Apple’s deadline to respond to the Complaint, Plaintiffs filed their First Amended Complaint (“FAC”) on October 6, 2023 (ECF No. 46);

WHEREAS, Apple moved to dismiss Plaintiffs’ FAC on October 27, 2023 (ECF No. 50);

WHEREAS, the Court granted in part and denied in part Apple’s motion to dismiss Plaintiffs’ FAC on March 15, 2024 and granted Plaintiffs leave to file any amended complaint on dismissed claims within 21 days of the Court’s ruling (ECF Nos. 73, 74);

WHEREAS, Plaintiffs filed their Second Amended Complaint (“SAC”) on April 5, 2024 (ECF No. 79);

WHEREAS, the parties have not previously proposed a deadline by which Apple must answer all non-dismissed claims in the SAC in any of their joint case management statements (*see, e.g.*, ECF Nos. 64, 68, 71, 75);

WHEREAS, at the Case Management Conference held on March 22, 2024, the Court set a briefing schedule for Apple’s Motion to Dismiss Plaintiffs’ SAC but did not set a deadline for Apple to file an Answer to non-dismissed claims (ECF No. 77);

WHEREAS, on May 10, 2024, Apple filed a motion to dismiss several of the claims asserted in the SAC (ECF No. 82);

WHEREAS, the parties met and conferred on May 9, 2024, and agreed, in light of the pending motion to dismiss and in the interests of efficiency, to set the deadline for Apple to file its answer to the operative complaint to the date 45 days after the Court issues a motion to dismiss order without leave to amend, or after any deadline for amendment set in a motion to dismiss order has passed without an amended complaint being filed (Declaration of Tiffany Cheung (“Cheung Decl.”) ¶ 2);

WHEREAS, the parties have previously stipulated twice to extend Apple’s deadline to respond to the complaint in this case (ECF Nos. 25, 35);

NOW THEREFORE, the parties hereby stipulate and agree, subject to the approval of the Court, that Apple's deadline to answer all non-dismissed claims in the SAC shall be 45 days after the Court issues a motion to dismiss order without leave to amend, or after any deadline for amendment set in a motion to dismiss order has passed without an amended complaint being filed.

Dated: May 22, 2024

Respectfully submitted,

MORRISON & FOERSTER LLP
TIFFANY CHEUNG
GALIA Z. AMRAM
MELODY E. WONG
JOCELYN GREER

By: /s/ Tiffany Cheung
TIFFANY CHEUNG

Attorneys for Defendant
APPLE INC.

Dated: May 22, 2024

GILLIAN L. WADE
MILSTEIN JACKSON
FAIRCHILD & WADE, LLP

By: /s/ Gillian L. Wade
GILLIAN L. WADE

Attorneys for Plaintiffs
LAUREN HUGHES, et al.

ECF ATTESTATION

I, Tiffany Cheung, am the ECF User whose ID and password are being used to file this document. In compliance with Civil Local Rule 5-1(i)(3), I attest that Gillian L. Wade has concurred to this filing.

Dated: May 22, 2024

MORRISON & FOERSTER LLP

/s/ Tiffany Cheung

TIFFANY CHEUNG

Attorneys for Defendant
APPLE INC.

[PROPOSED] ORDER

Pursuant to the parties' stipulation, the Court hereby orders that:

1. Apple's deadline to answer all non-dismissed claims in SAC shall be 45 days after this Court issues a motion to dismiss order without leave to amend to the SAC.

IT IS SO ORDERED.

Dated: _____

Honorable Vince Chhabria
United States District Court Judge